

Public Law 215

CHAPTER 348

August 7, 1953
[H. R. 5495]

AN ACT

To extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes.

Trade Agree-
ments Extension
Act of 1953.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Trade Agreements Extension Act of 1953".

TITLE I—FOREIGN-TRADE AGREEMENTS

SEC. 101. EXTENSION OF AUTHORITY.

65 Stat. 72.

The period during which the President is authorized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended and extended (19 U. S. C., sec. 1351), is hereby extended for a further period of one year from June 12, 1953.

SEC. 102. TIME FOR CERTAIN REPORTS BY TARIFF COMMISSION.

65 Stat. 74.

The first paragraph of subsection (a) of section 7 of the Trade Agreements Extension Act of 1951 (19 U. S. C., sec. 1364) is hereby amended by striking out "one year" and inserting in lieu thereof "nine months". In the case of any application made under such first paragraph before the date of the enactment of this Act, the United States Tariff Commission shall make its report not later than whichever of the following is the earlier: (1) one year after the application was made, or (2) nine months after the date of the enactment of this Act.

SEC. 103. GENERAL AGREEMENT ON TARIFFS AND TRADE NOT AFFECTED.

61 Stat. pts. 5
and 6.

The enactment of this Act shall not be construed to determine or indicate the approval or disapproval by the Congress of the Executive Agreement known as the General Agreement on Tariffs and Trade.

SEC. 104. EMERGENCY ACTION UNDER SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT.

65 Stat. 75.
19 USC 1365;
7 USC 624.

Section 8 of the Trade Agreements Extension Act of 1951 (Public Law 50, Eighty-second Congress, first session) is hereby amended by adding a new subsection (c) at the end thereof, reading as follows:

62 Stat. 1249.
7 USC 624.

"(c) Subsection (b) of section 22 of the Agriculture Adjustment Act, as amended, is amended by adding at the end thereof the following:

"In any case where the Secretary of Agriculture determines and reports to the President with regard to any article or articles that a condition exists requiring emergency treatment, the President may take immediate action under this section without awaiting the recommendations of the Tariff Commission, such action to continue in effect pending the report and recommendations of the Tariff Commission and action thereon by the President."

TITLE II—UNITED STATES TARIFF COMMISSION

SEC. 201. EFFECT OF DIVIDED VOTE IN CERTAIN CASES.

46 Stat. 696.
19 USC 1330.

Section 330 of the Tariff Act of 1930, as amended, is hereby amended by adding a new subsection (d) reading as follows:

"(d) EFFECT OF DIVIDED VOTE IN CERTAIN CASES.—

"(1) Whenever, in any case calling for findings of the Commission in connection with any authority conferred upon the President by law to make changes in import restrictions, a majority of the commissioners voting are unable to agree upon findings or recommendations, the findings (and recommendations, if any)

unanimously agreed upon by one-half of the number of commissioners voting may be considered by the President as the findings and recommendations of the Commission: *Provided*, That if the commissioners voting are divided into two equal groups each of which is unanimously agreed upon findings (and recommendations, if any) the findings (and recommendations, if any) of either group may be considered by the President as the findings (and recommendations, if any) of the Commission. In any case of a divided vote referred to in this paragraph the Commission shall transmit to the President the findings (and recommendations, if any) of each group within the Commission with respect to the matter in question.

“(2) Whenever, in any case in which the Commission is authorized to make an investigation upon its own motion, upon complaint, or upon application of any interested party, one-half of the number of commissioners voting agree that the investigation should be made, such investigation shall thereupon be carried out in accordance with the statutory authority covering the matter in question. Whenever the Commission is authorized to hold hearings in the course of any investigation and one-half of the number of commissioners voting agree that hearings should be held, such hearings shall thereupon be held in accordance with the statutory authority covering the matter in question.”

TITLE III—ESTABLISHMENT OF COMMISSION ON FOREIGN ECONOMIC POLICY

SEC. 301. ESTABLISHMENT OF THE COMMISSION.

There is hereby established a bipartisan commission to be known as the Commission on Foreign Economic Policy (in this title referred to as the “Commission”).

SEC. 302. MEMBERSHIP OF THE COMMISSION.

(a) **NUMBER AND APPOINTMENT.**—The Commission shall be composed of seventeen members as follows:

- (1) Seven appointed by the President of the United States;
- (2) Five appointed from the Senate by the Vice President of the United States; and
- (3) Five appointed from the House of Representatives by the Speaker of the House of Representatives.

(b) **POLITICAL AFFILIATION.**—Of the first class of members specified in subsection (a), no more than four members shall be from the same political party. Of the second and third classes of members specified in subsection (a), no more than three members from each class shall be from the same political party.

SEC. 303. ORGANIZATION OF THE COMMISSION.

The President shall designate the member of the Commission who shall be the Chairman, and the member who shall be the Vice Chairman.

SEC. 304. QUORUM.

Nine members of the Commission (including at least five who are Members of Congress) shall constitute a quorum.

SEC. 305. COMPENSATION OF MEMBERS OF THE COMMISSION.

(a) **MEMBERS OF CONGRESS.**—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) **MEMBERS FROM THE EXECUTIVE BRANCH.**—The members of the Commission who are in the executive branch of the Government shall each receive the compensation which he would receive if he were not a member of the Commission, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) **MEMBERS FROM PRIVATE LIFE.**—The members from private life shall receive not to exceed \$75 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

SEC. 306. STAFF OF THE COMMISSION.

(a) **APPOINTMENT OF PERSONNEL.**—The Commission may appoint such personnel as it deems advisable, without regard to the civil-service laws, and shall fix the compensation of such personnel in accordance with the Classification Act of 1949, as amended. The Commission may procure temporary and intermittent services in accordance with section 15 of the Act of August 2, 1946 (5 U. S. C., sec. 55a), but at rates not to exceed \$75 per diem for individuals. The Commission may reimburse employees, experts, and consultants for travel, subsistence, and other necessary expenses incurred by them in the performance of their official duties and make reasonable advances to such persons for such purposes.

(b) **CERTAIN LAWS NOT TO APPLY.**—Except for members of the Commission appointed by the Vice President or the Speaker of the House, and except for any member of the Commission who may be appointed by the President from the executive branch of the Government, service of an individual as a member of the Commission, employment of an individual pursuant to the first sentence of subsection (a), and service by a person pursuant to the second sentence of subsection (a), shall not be considered as service or employment bringing such person within the provisions of section 281, 283, or 284, or 1914 of title 18 of the United States Code, or section 412 of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C., sec. 1584), or section 190 of the Revised Statutes (5 U. S. C., sec. 99).

SEC. 307. EXPENSES OF THE COMMISSION.

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this title.

SEC. 308. REPORT—EXPIRATION OF THE COMMISSION.

(a) **REPORT.**—Within sixty days after the second regular session of the Eighty-third Congress is convened, the Commission shall make a report of its findings and recommendations to the President and to the Congress.

(b) **EXPIRATION OF THE COMMISSION.**—Ninety days after the submission to the Congress of the report provided for in subsection (a) of this section, the Commission shall cease to exist.

SEC. 309. DUTIES OF THE COMMISSION.

(a) **IN GENERAL.**—The Commission is directed to examine, study, and report on the subjects of international trade and its enlargement consistent with a sound domestic economy, our foreign economic policy, and the trade aspects of our national security and total foreign policy; and to recommend appropriate policies, measures, and practices.

(b) **CERTAIN OF THE MATTERS TO BE CONSIDERED AND REPORTED ON.**—Without limiting the general scope of the direction to the Commission contained in subsection (a), the Commission shall consider, and shall report on, the following matters:

(1) (A) Applicable provisions of the Constitution of the United States;

(B) Laws, regulations, and practices of the United States relating to international trade, including such matters as tariffs, customs, customs administration, trade agreements, peril point and escape procedures, opinions and decisions thereon of the United States Tariff Commission and the President, import and export quotas, monetary licenses, countervailing duties, and procurement preferences;

(C) Departments, agencies, boards, commissions, bureaus, and other instrumentalities of the United States having jurisdiction over, or dealing with, these matters;

(D) Laws, regulations, and practices and official instrumentalities of other nations concerned with similar subject matters;

(E) Pertinent statistics on international trade; and

(F) Balance of payments, nation by nation; and the causes and effects of, and proposed remedies for, excessive imbalances.

(2) Relationship of our foreign economic policies to, and their influences on, our total foreign policy; and the proper relationship of each to the other.

(3) Effect of our foreign aid and military defense programs on international trade and international balance of payments.

(4) Foreign markets of trading nations—extent and nature; and the effect thereon of wars, other emergencies, technological advances, international relations, and other pertinent factors.

(5) International instrumentalities, organizations, and agreements and practices affecting trade, such as the General Agreement on Tariffs and Trade, Customs Unions, Organization for European Economic Cooperation, International Wheat Agreement, cartels, European Payments Union, European Coal and Steel Community, and International Monetary Fund.

(6) Foreign investment capital and the flow of investment capital between nations—need thereof—restrictions thereon—inducements necessary to encourage—role of the Export-Import Bank and of the International Bank for Reconstruction and Development.

(7) Effects on international trade of factors such as costs of production and pricing, labor practices and standards, general living standards, currency manipulation, inconvertible currencies, official inflationary policies, currency devaluations, exchange controls and licenses, quotas, embargoes, dumping and pricing practices, multiple currencies, bilateral trade agreements, barter arrangements, customs procedures, marking and transit problems, concealed regulation of exports and imports, preferential tariff systems, most-favored nation treatment, government monopolies, state-controlled economies, state trading, and state-subsidized trading.

(8) Effect of existing and proposed trade policies on the promotion of peace and security and the betterment of political, social, and economic life, domestic and foreign.

SEC. 310. POWERS OF THE COMMISSION.

(a) **HEARINGS AND SESSIONS.**—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, shall have power to hold hearings and to sit and act at such times and places, within the United States or elsewhere, to take such testimony,

and to make such lawful expenditures, as the Commission or such subcommittee or member may deem advisable.

(b) **OBTAINING OFFICIAL DATA.**—The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this title; and each such department, agency, and instrumentality is authorized to furnish such information to the Commission, upon request made by the Chairman or by the Vice Chairman when acting as Chairman.

Approved August 7, 1953.

Public Law 216

CHAPTER 349

AN ACT

August 7, 1953
[S. 2249]

To enable the President, during the period ending March 15, 1954, to furnish to peoples friendly to the United States emergency assistance in meeting famine or other urgent relief requirements.

Famine relief.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enable the President to furnish emergency assistance on behalf of the people of the United States to friendly peoples in meeting famine or other urgent relief requirements, the Commodity Credit Corporation is authorized and directed to make available to the President out of its stocks such agricultural commodities f. o. b. vessels in United States ports as he may request for transfer (1) to any nation friendly to the United States in order to meet famine or other urgent relief requirements of such nation and (2) to friendly but needy populations without regard to the friendliness of their government providing that such commodities will be so distributed as to relieve actual distress among such populations. Not more than \$100,000,000 (including the Corporation's investment in the commodities) shall be expended for all transfers, including delivery on board vessels, under this section. The President may make such transfer through such agencies, in such manner, and upon such terms and conditions as he deems appropriate.

Appropriation.

SEC. 2. For the purpose of making payment to the Commodity Credit Corporation for commodities disposed of hereunder, there are hereby authorized to be appropriated to the Commodity Credit Corporation, out of any moneys in the Treasury not otherwise appropriated, such sums as are equal to the Corporation's investment in such commodities, including handling costs, plus the cost incurred in making deliveries hereunder.

Termination date.

SEC. 3. No programs of assistance shall be undertaken under the authority of this Act after March 15, 1954.

Approved August 7, 1953.

Public Law 217

CHAPTER 350

AN ACT

August 7, 1953
[H. R. 5740]

To amend the Federal Food, Drug, and Cosmetic Act, so as to protect the public health and welfare by providing certain authority for factory inspection, and for other purposes.

Federal Food, Drug, and Cosmetic Act, amendments.
52 Stat. 1057.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 704 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C., sec. 374) is amended to read as follows: